

a settlement agreement under the authority of the Equal Credit Opportunity Act and the authority to obligate agency funds, including CCC and FCIC funds to satisfy such an award.

(21) Provide civil rights and equal employment opportunity support services, with authority to take actions required by law or regulation to perform such services for:

- (i) The Secretary of Agriculture.
- (ii) The general officers of the Department.
- (iii) The offices and agencies reporting to the Assistant Secretary for Administration.
- (iv) Any other offices or agencies of the Department as may be agreed.

(22) *Related to outreach.*

(i) Develop policy guidelines and implement a Departmental outreach program which delivers services to traditionally under-served customers.

(ii) Develop a strategic outreach plan for the Department which coordinates the goals, objectives, and expectations of mission area outreach programs.

(iii) Coordinate the dissemination/communication of all outreach information from the Department and its mission areas ensuring its transmission to as wide a public spectrum as possible.

(iv) Serve as the Department's official outreach spokesperson.

(v) Provide coordination and oversight of agency outreach activities including the establishment of outreach councils.

(vi) Develop a system to monitor the delivery of outreach grants and funding.

(vii) Establish requirements and procedures for reporting agency outreach status and accomplishments including Departmental reporting under the Outreach and Assistance for Socially Disadvantaged Farmers and Ranchers Program (7 U.S.C. 2279).

(24) *Related to conflict management.*

(i) Designate the senior official to serve as the Department Dispute Resolution Specialist under the Administrative Dispute Resolution Act of 1996, 5 U.S.C. 571, *et seq.*, and provide leadership, direction and coordination for the Department's conflict prevention and resolution activities.

(ii) Issue Departmental regulations, policies, and procedures relating to the use of Alternative Dispute Resolution (ADR) to resolve employment complaints and grievances, workplace disputes, Departmental program disputes, and contract and procurement disputes.

(iii) Provide ADR services for:

- (A) The Secretary of Agriculture.
- (B) The general officers of the Department.
- (C) The offices and agencies reporting to the Assistant Secretary for Administration.
- (D) Any other officer or agency of the Department as may be agreed.

(iv) Develop and issue standards for mediators and other ADR neutrals utilized by the Department.

(v) Coordinate ADR activities throughout the Department.

(vi) Monitor Agency ADR programs and report at least annually to the Secretary on the Department's ADR activities.

(25) Redesignate, as appropriate, any authority delegated under this section to general officers of the Department and heads of Departmental agencies.

(b) [Reserved]

[69 FR 34255, June 21, 2004]

## PART 3—DEBT MANAGEMENT

### Subpart A—Settlement of Small or Old Debts

Sec.

- 3.1 Purposes of the act and regulations.
- 3.2 Definitions.
- 3.3 Settlement of indebtedness.
- 3.4 Investigations and findings.
- 3.5 Delegations of authority.
- 3.6 Forms and records.
- 3.8 Penalties.
- 3.9 Indebtedness referred to the Comptroller General or the Attorney General.
- 3.10 Scope of the act.

### Subpart B—Debt Collection

- 3.21 Debt collection standards.
- 3.22 Definitions.
- 3.23 Collection by administrative offset.
- 3.24 Coordinating administrative offset with other Federal agencies.
- 3.25 Notice requirements before offset.
- 3.26 Exceptions to notice requirements.
- 3.27 Inspection of USDA records related to the debt.

### § 3.1

- 3.28 Written agreements to repay debt as alternative to administrative offset.
- 3.29 Hearings and reviews.
- 3.30 Stay of offset.
- 3.31 Agency procedures.
- 3.32 Offset against amounts payable from Civil Service retirement and disability fund.
- 3.33 Offset of debtor's judgment against the United States.
- 3.34 Interest, penalties and administrative costs.
- 3.35 Disclosure to a credit reporting agency.
- 3.36 Use of collection agencies.

#### Subpart C—Salary Offset

- 3.51 Scope.
- 3.52 Definitions.
- 3.53 Coordinating offset with another Federal agency.
- 3.54 Determination of indebtedness.
- 3.55 Notice requirements before offset.
- 3.56 Request for a hearing.
- 3.57 Result if employee fails to meet deadlines.
- 3.58 Hearings.
- 3.59 Written decision following a hearing.
- 3.60 Review of Departmental record related to the debt.
- 3.61 Written agreement to repay debt as alternative to salary offset.
- 3.62 Procedures for salary offset: When deductions may begin.
- 3.63 Procedures for salary offset: Types of collection.
- 3.64 Procedures for salary offset: Methods of collection.
- 3.65 Procedures for salary offset: Imposition of interest, penalties and administrative costs.
- 3.66 Nonwaiver of rights.
- 3.67 Refunds.
- 3.68 Agency regulations.

#### Subpart D—Cooperation with the Internal Revenue Service

- 3.81 Reporting discharged debts to the Internal Revenue Service.
- 3.82 Offset against tax refunds.

#### Subpart E—Adjusted Civil Monetary Penalties

- 3.91 Adjusted civil monetary penalties.

#### Subpart A—Settlement of Small or Old Debts

AUTHORITY: Sec. 1, 58 Stat. 836; 12 U.S.C. 1150.

SOURCE: 10 FR 807, Jan. 23, 1945, unless otherwise noted. Redesignated at 13 FR 6903, Nov. 24, 1948.

### 7 CFR Subtitle A (1-1-05 Edition)

#### § 3.1 Purposes of the act and regulations.

The principal purposes of the act and of the regulations in this part are to provide means of:

(a) Settling, by compromise, adjustment or cancellation relatively small debts long past due and owing to the Government arising from loans or payments made under farm programs administered by the Department;

(b) recovering by the Department of substantial sums which are found uncollectible when the indebtednesses are treated as full obligations, and which otherwise would probably never be collected;

(c) clearing the accounts of balances so small as not to warrant continued efforts of collection; and

(d) the clearing of the accounts of the records of indebtedness made uncollectible by reason of the death or disappearance of the debtors.

The existence of the act will neither serve as grounds for any relaxation in the general collection policy of the Department nor should it serve as grounds for any lessening of the efforts of farmers to pay their indebtedness.

#### § 3.2 Definitions.

(a) *Department* means Department of Agriculture.

(b) *Indebtedness* with respect to any person, means a debt to the Government under each of the acts and programs listed in § 3.10.

(c) *Compromise* means final liquidation of the indebtedness through the immediate payment of a portion thereof, and acceptance by the United States of such payment in full satisfaction of the indebtedness.

(d) *Adjustment* means the scaling down of the amount of the indebtedness including interest, conditioned upon the payment of the adjusted amount at some specified future time or times; such adjustment is not to be considered as effective as a settlement under this act until the provisions of the adjustment arrangement have been carried out.